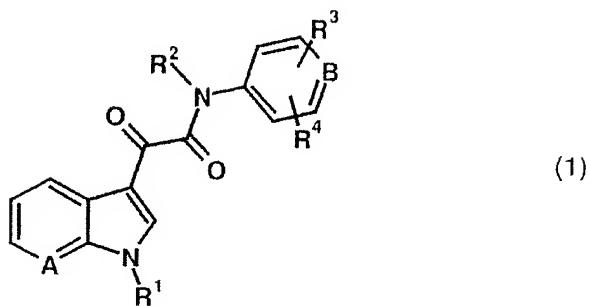


IN THE CLAIMS

1. (currently amended) A compound of formula 1 the ~~general formula~~

±



in which

**A** may be nitrogen or an N-oxide group,

**B** may be carbon, nitrogen or an N-oxide group,

R<sup>1</sup>

(i) is -C<sub>1-10</sub>-alkyl, straight-chain or branched-chain, optionally mono- or polysubstituted by -OH, -SH, -NH<sub>2</sub>, -NHC<sub>1-6</sub>-alkyl, -N(C<sub>1-6</sub>-alkyl)<sub>2</sub>, -NHC<sub>6-14</sub>-aryl, -N(C<sub>6-14</sub>-aryl)<sub>2</sub>, -N(C<sub>1-6</sub>-alkyl)(C<sub>6-14</sub>-aryl), -NO<sub>2</sub>, -F, -Cl, -Br, -I, -O-C<sub>1-6</sub>-alkyl, -O-C<sub>6-14</sub>-aryl, -S-C<sub>1-6</sub>-alkyl, -S-C<sub>6-14</sub>-aryl, -SO<sub>3</sub>H, -SO<sub>2</sub>C<sub>1-6</sub>-alkyl, -SO<sub>2</sub>C<sub>6-14</sub>-aryl, -OSO<sub>2</sub>C<sub>1-6</sub>-alkyl, -OSO<sub>2</sub>C<sub>6-14</sub>-aryl, -COOH, -(CO)C<sub>1-5</sub>-alkyl, -COO-C<sub>1-5</sub>-alkyl, -O(CO)C<sub>1-5</sub>-alkyl, by mono-, bi- or tricyclic saturated or mono- or polyunsaturated carbocycles with 3-14 ring members or/and by mono-, bi- or tricyclic saturated or mono- or polyunsaturated heterocycles with 5-15 ring members and 1-6 heteroatoms, which are preferably N, O and S,

where the C<sub>6-14</sub>-aryl groups and the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -C<sub>1-6</sub>-alkyl, -OH, -NH<sub>2</sub>, -NHC<sub>1-6</sub>-alkyl, -N(C<sub>1-6</sub>-alkyl)<sub>2</sub>, -NO<sub>2</sub>, -CN, -F, -Cl, -Br, -I, -O-C<sub>1-6</sub>-alkyl, -S-C<sub>1-6</sub>-alkyl, -SO<sub>3</sub>H, -SO<sub>2</sub>C<sub>1-6</sub>-alkyl, -OSO<sub>2</sub>C<sub>1-6</sub>-alkyl, -COOH, -(CO)C<sub>1-5</sub>-alkyl, -COO-C<sub>1-5</sub>-alkyl or/and -O(CO)C<sub>1-5</sub>-alkyl, and where the alkyl groups on the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH<sub>2</sub>, -F, -Cl, -Br, -I, -SO<sub>3</sub>H or/and -COOH, or

(ii) is -C<sub>2-10</sub>-alkenyl, mono- or polyunsaturated, straight-chain or branched-chain, optionally mono- or polysubstituted by -OH, -SH, -NH<sub>2</sub>, -NHC<sub>1-6</sub>-alkyl, -N(C<sub>1-6</sub>-alkyl)<sub>2</sub>, -NHC<sub>6-14</sub>-aryl, -N(C<sub>6-14</sub>-aryl)<sub>2</sub>, -N(C<sub>1-6</sub>-alkyl)(C<sub>6-14</sub>-aryl), -NO<sub>2</sub>, -CN, -F, -Cl, -Br, -I, -O-C<sub>1-6</sub>-alkyl, -O-C<sub>6-14</sub>-aryl, -S-C<sub>1-6</sub>-alkyl, -S-C<sub>6-14</sub>-aryl, -SO<sub>3</sub>H, -SO<sub>2</sub>C<sub>1-6</sub>-alkyl, -SO<sub>2</sub>C<sub>6-14</sub>-aryl, -OSO<sub>2</sub>C<sub>1-6</sub>-alkyl, -OSO<sub>2</sub>C<sub>6-14</sub>-aryl, -COOH, -(CO)C<sub>1-5</sub>-alkyl, -COO-C<sub>1-5</sub>-alkyl, -O(CO)C<sub>1-5</sub>-alkyl, by mono-, bi- or tricyclic saturated or mono- or polyunsaturated carbocycles with 3-14 ring members or/and by mono-, bi- or tricyclic saturated or mono- or polyunsaturated heterocycles with 5-15 ring members and 1-6 heteroatoms, which are preferably N, O and S,

where the C<sub>6-14</sub>-aryl groups and the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -C<sub>1-6</sub>-alkyl, -OH, -NH<sub>2</sub>, -NHC<sub>1-6</sub>-alkyl, -N(C<sub>1-6</sub>-alkyl)<sub>2</sub>, -NO<sub>2</sub>, -CN, -F, -Cl, -Br, -I, -O-C<sub>1-6</sub>-alkyl, -S-C<sub>1-6</sub>-alkyl, -SO<sub>3</sub>H, -SO<sub>2</sub>C<sub>1-6</sub>-alkyl, -OSO<sub>2</sub>C<sub>1-6</sub>-alkyl, -COOH, -(CO)C<sub>1-5</sub>-alkyl, -COO-C<sub>1-5</sub>-alkyl or/and -O(CO)C<sub>1-5</sub>-alkyl,

and where the alkyl groups on the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH<sub>2</sub>, -F, -Cl, -Br, -I, -SO<sub>3</sub>H or/and -COOH,

R<sup>2</sup> is hydrogen or -C<sub>1-3</sub>-alkyl,

$R^3$  and  $R^4$  may be identical or different and are hydrogen, -C<sub>1-6</sub>-alkyl, -OH, -SH, -NH<sub>2</sub>, -NHC<sub>1-6</sub>-alkyl, -N(C<sub>1-6</sub>-alkyl)<sub>2</sub>, -NO<sub>2</sub>, -CN, -SO<sub>3</sub>H, -SO<sub>3</sub>-C<sub>1-6</sub>-alkyl, -COOH, -COO-C<sub>1-6</sub>-alkyl, -O(CO)-C<sub>1-5</sub>-alkyl, -F, -Cl, -Br, -I, -O-C<sub>1-6</sub>-alkyl, -S-C<sub>1-6</sub>-alkyl, -phenyl or -pyridyl, where the phenyl or pyridyl substituents in turn may optionally be substituted one or more times by -C<sub>1-3</sub>-alkyl, -OH, -SH, -NH<sub>2</sub>, -NHC<sub>1-3</sub>-alkyl, -N(C<sub>1-3</sub>-alkyl)<sub>2</sub>, -NO<sub>2</sub>, -CN, -SO<sub>3</sub>H, -SO<sub>3</sub>C<sub>1-3</sub>-alkyl, -COOH, -COOC<sub>1-3</sub>-alkyl, -F, -Cl, -Br, -I, -O-C<sub>1-3</sub>-alkyl, -S-C<sub>1-3</sub>-alkyl, or/and -O(CO)C<sub>1-3</sub>-alkyl, and where the alkyl substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH<sub>2</sub>, -F, -Cl, -Br, -I, -SO<sub>3</sub>H, -SO<sub>3</sub>C<sub>1-3</sub>-alkyl, -COOH, -COOC<sub>1-3</sub>-alkyl, -O-C<sub>1-3</sub>-alkyl, -S-C<sub>1-3</sub>-alkyl or/and -O(CO)-C<sub>1-3</sub>-alkyl,

or salts of the compounds of formula 1 formula 1.

2. (currently amended) A compound as claimed in claim 1 having ~~an~~ at least one asymmetric carbon atom in the D form, the L form and D,L mixtures, and in the case of a plurality of asymmetric carbon atoms also the diastereomeric forms.

3. (currently amended) A compound as claimed in claim 1 or 2, wherein A is N and B is N-O.

4. (original) A compound as claimed in claim 3, wherein  $R^2$  is -H or -CH<sub>3</sub>.

5. (original) A compound as claimed in claim 4, wherein at least one of  $R^3$  and  $R^4$  is in each case a halogen atom.

6. (currently amended) A compound as claimed in claim 1 or 2, wherein A is N-O and B is CH, CR<sup>3</sup> or N.

7. (original) A compound as claimed in claim 6, wherein  $R^2$  is -H or -CH<sub>3</sub>.

8. (original) A compound as claimed in claim 7, wherein at least one of R<sup>3</sup> and R<sup>4</sup> is in each case a halogen atom.

9. (currently amended) A compound as claimed in claim 1 ~~any of claims 1 to 8~~ selected from the group consisting of:

N-(3,5-dichloropyridin-4-yl)-[1-(4-fluorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(2,6-dichlorophenyl)-[1-(2-chlorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-phenyl-[1-(4-fluorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-fluorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(3-nitrobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,6-difluorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,4-dichlorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloropyridin-4-yl)-[1-(2,4-dichlorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-chlorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloropyridin-4-yl)-[1-(2-chlorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-chlorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloropyridin-4-yl)-N-methyl-[1-(2-chlorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-N-methyl-[1-(2-chlorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-methyl-N-(1-oxopyridin-4-yl)-[1-(2-chlorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,6-dichlorobenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-methylbenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,6-dimethylbenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-(1-hexyl-7-azaindol-3-yl)glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-(1-isobutyl-7-azaindol-3-yl)glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-(1-cyclopropylmethyl-7-azaindol-3-yl)glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-naphth-1-yl-methyl]-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloropyridin-4-yl)-[1-(2-chloro-6-fluorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-chloro-6-fluorobenzyl)-7-azaindol-3-yl]glyoxylamide;

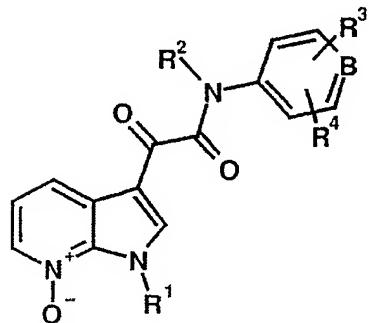
N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-chloro-6-fluorobenzyl)-7-oxo-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-difluoromethylbenzyl)-7-azaindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-cyanobenzyl)-7-azaindol-3-yl]glyoxylamide;

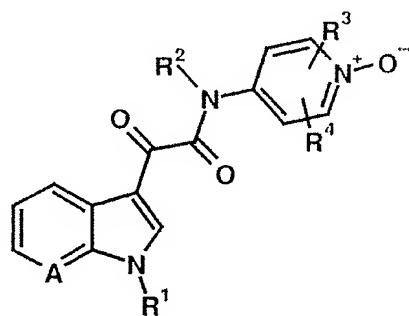
and physiologically tolerated salts thereof.

10. (currently amended) A process for preparing a compound according to compounds of claim 1, formula 1, wherein compounds in which A is nitrogen and B can be nitrogen or carbon are oxidised by treatment with an oxidizing agent to the compounds of the invention of the formula 1a



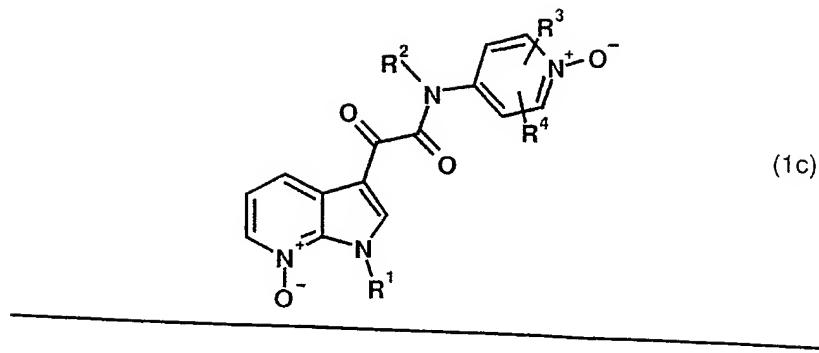
(1a)

1b →



(1b)

or 1c



formula 1a, 1b or 1c.

11. (currently amended) The process as claimed in claim 10, wherein said a peracid, in particular in chloroperbenzoic acid or/and peracetic acid, is used as oxidizing agent is selected from the group consisting of a peracid and a peracetic acid.

12. (currently amended) The process as claimed in claim 10, wherein resulting mixtures of N-oxides are fractionated into the pure compounds of the formula 1a, 1b or 1c formula 1a, 1b or 1c by crystallization or or/and chromatographic methods.

13. (currently amended) The process as claimed in claim 12 any of claims 10 to 12, wherein mixtures of the solvents ethyl acetate and methanol, preferably in mixing ratios between 50:50 and 99:1, are used for separating mixtures of N-oxides by chromatographic methods.

14. (currently amended) A method of treating The use of the compounds of formula 1 as claimed in any of claims 1 to 9 as therapeutic active ingredients for producing drug products for the treatment of disorders in which inhibition of phosphodiesterase 4 is therapeutically beneficial in a patient comprising administering a therapeutically effective amount of a compound of claim 1 to a patient in need thereof to inhibit phosphodiesterase 4.

15. (currently amended) A method of treating The use of the compounds of formula 1 as claimed in any of claims 1 to 9 as therapeutic active ingredients for producing drug products for the treatment of disorders associated with the effect of eosinophils in a patient comprising administering a therapeutically effective amount of a compound of claim 1 to a patient in need thereof.

16. (currently amended) A method of treating The use of the compounds of formula 1 as claimed in any of claims 1 to 9 as therapeutic active ingredients for producing drug products for the treatment of disorders associated with the effect of neutrophils in a patient comprising administering a therapeutically effective amount of a compound of claim 1 to a patient in need thereof.

17. (currently amended) A method of treating The use of the compounds of formula 1 as claimed in any of claims 1 to 9 as therapeutic active ingredients for producing drug products for the treatment of hyperproliferative disorders in a patient comprising administering to said patient a therapeutically effective amount of a compound according to claim 1 to treat the hyperproliferative disorder.

18. (currently amended) A drug product comprising a compound according to claim 1 and at least one of a one or more compounds as claimed in claims 1 to 9 in addition to conventional physiologically tolerated carrier, diluent or excipient carriers and/or diluents and excipients.

19. (currently amended) A process for producing a drug product as claimed in claim 18, comprising admixing said compound with said carrier, diluent or excipient to form the drug product wherein one or more compounds as claimed in any of claims 1 to 9 are processed with conventional pharmaceutical carriers and/or diluents and other excipients to pharmaceutical preparations, or are converted into a form which can be used therapeutically.

20. (currently amended) A pharmaceutical composition comprising a compound of claim 1 and at least one The use of compounds of the general formula 1 as claimed in any of claims 1 to 9 and/or of drug products as claimed in claim 18 alone or in combination with one another or in combination with other active pharmaceutical agent ingredients.

21. (new) The process as claimed in claim 10, wherein said oxidizing agent is m-chloroperbenzoic acid.